

Zoning Text Amendment No: 09-11
Concerning: Residential zones –
Agricultural vending
Draft No. & Date: 1 – 11/10/09
Introduced: 11/17/09
Public Hearing:
Adopted:
Effective:
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Berliner

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Allow the sale of farm produce by Certified Agricultural Producers in residential zones, under certain circumstances.

By amending the following sections of the Montgomery County Zoning Ordinance,
Chapter 59 of the Montgomery County Code:

DIVISION 59-C-1 “RESIDENTIAL ZONES, ONE-FAMILY”
Section 59-C-1.31 “Land uses”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*
Underlining indicates text that is added to existing law by the original text amendment.
[Single boldface brackets] indicate that text is deleted from existing law by original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. DIVISION 59-C-1 is amended as follows:

DIVISION 59-C-1. RESIDENTIAL ZONES, ONE-FAMILY.

* * *

59-C-1.31. Land uses.

* * *

(g) Miscellaneous.	RE-2	RE-2C	RE-1	R-200	R-150	R-90	R-60	R-40	R-4 plex	RMH 200
Accessory buildings or structures for housing animals or fowl.	P	P	P	P	P	P	P			
Accessory buildings, structures, and uses. ⁵²	P	P	P	P	P	P	P	P	P	P
<u>Agricultural vending*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			
Kennels, noncommercial. ³¹	P	P	P	P	P ³⁰	P ³⁰	P ³⁰	P ³⁰	P ³⁰	P ³⁰
Security pavilion	P ⁵⁰		P ⁵⁰	P ⁵⁰						
Signs, in accordance with article 59-F.	P	P	P	P	P	P	P	P	P	P

* At least 100 feet from a dwelling, a vendor who is a Certified Agricultural Producer under Chapter 47 regulations is permitted to sell produce on a lot or parcel:
1) used for non-residential purposes other than agricultural vending;
2) larger than 4 acres in size;
3) abutting a roadway with 4 or more lanes, and
4) the structure or vehicle used for sales remains in the same location for less than 24 hours.

* * *

Sec. 5. Effective Date. This ordinance takes effect immediately upon
the date of Council adoption.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council